

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Civil Action No.

Mary Ellen Costa and Roberta Sullivan, Individually
and on behalf of the members of Local 9 of the
Service Employees International Union,

Plaintiffs

v.

The Service Employees International Union,

Defendant

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION
AND REQUEST FOR ORAL ARGUMENT**

The Plaintiffs respectfully move this Honorable Court to issue a Preliminary Injunction in support state as follows:

1. The Plaintiffs have this day filed a Verified Complaint for a Temporary Restraining Order, Preliminary Injunction and a Permanent Injunction, and memorandum in support thereof, and related pleadings.

2. As indicated in the Motion for Preliminary Injunction and memorandum in support, immediate and irreparable harm is and will continue to be suffered by the Plaintiffs and the members of SEIU Local 9 if a Preliminary Injunction is not issued.

WHEREFORE, the Plaintiffs respectfully move this Honorable Court to issue a Preliminary Injunction ordering that, until the earlier of October 1, 2004, the election of

permanent officers by the membership of Local 9, or the final termination of this action, the Defendant, its officers, agents employees, and representatives, be ordered

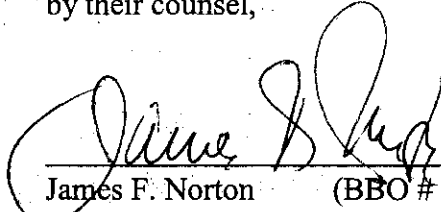
- a. to reinstate Mary Ellen Costa to the position of Interim President of Local 9; to reinstate Roberta Sullivan to the position of Interim Secretary-Treasurer of Local 9; and to reinstate Joanne Vitti, Joseph Harter, Mary Ellen Foley-Perry, Eileen Ridge, Robert Hossack, Kathleen Barry, Mary Sullivan, and Vicki Sutherland as Interim Executive Board Members;
- b. to inform the Boston Medical Center that the Interim Officers and Executive Board members named above have been reinstated, and that the individuals appointed by SEIU President Stern on or about January 30th, 2004, have been removed from office, and to direct the BMC to remit the dues deducted from Local 9 members to the reinstated officers;
- c. to promptly review the Constitution and Bylaws accepted by the membership of Local 9, and presented to the SEIU for review on December 17th, 2003, and to approve such Constitution and Bylaws in the absence of any illegal provisions or provisions in conflict with the SEIU Constitution and Bylaws;
- d. if the Constitution and Bylaws are approved, to recognize the members elected to Local 9 offices and positions in the election of January 14th, 2004, as the duly elected officers and leaders of Local 9;
- e. to disband the Bylaws Committee selected and appointed by Carolyn McCullough and/or John Ronches;
- f. to cease and desist from any further selection or appointment of the members of any committee of Local 9;
- g. to refrain from any attempt to determine when the Local 9 elections shall be held;
- h. to discontinue the inquiry and to conduct no further inquiries into the internal needs of Local 9;

- I. to remand and return to the original jurisdiction of Local 9 the proceedings on the charges brought by Lorraine Riley and Eileen Ridge against Mary Ellen Costa and Roberta Sullivan;
- j. to recognize James F. Norton as a member of Local 9, and to refrain from any attempts to exclude him from any Local 9 meetings; and
- k. to refrain from any further processing the charges against the Plaintiffs, to refrain from proceeding with the trial of the Plaintiffs, to refrain from conducting any trials of the Plaintiffs, to refrain from administering any discipline against the Plaintiffs and to refrain from taking any adverse action against the Plaintiffs.

The Plaintiffs request oral argument in support of this motion.

Respectfully submitted,
Plaintiffs,
by their counsel,

3/9/2004
Date


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